

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

ERNESTO LEYVA,

Defendant.

4:24CR3029

ORDER

A telephone status conference was held on July 2, 2024. During the telephone conference, defense counsel notified the court that Defendant has new counsel who needs additional time to review this case and confer with the defendant. Defendant moved to continue the status conference and continue the pretrial motion deadline out of time. The government did not object. Based on the comments of counsel, the court finds good cause has been shown and the oral motions to continue should be granted. Accordingly,

IT IS ORDERED:

- 1) Pretrial motions and briefs shall be filed on or before August 7, 2024.
- 2) A telephonic conference with counsel will be held before the undersigned magistrate judge at 9:45 a.m. on August 14, 2024 to discuss setting any change of plea hearing or the date of the jury trial. Counsel for all parties shall use the conferencing instructions provided by the court to participate in the call.
- 3) In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, this is, the time between today's date and August 14, 2024 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 2nd day of July, 2024.

BY THE COURT:

s/Jacqueline M. DeLuca
United States Magistrate Judge